

STATE OF TENNESSEE

PUBLIC CHAPTER NO. 567

HOUSE BILL NO. 703

By Representative Watson

Substituted for: Senate Bill No. 202

By Senator Bunch

AN ACT to amend Tennessee Code Annotated, Title 10, Chapter 7, relative to confidential records.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 10-7-504, is amended by adding the following as a new subsection thereto:

(j)

(1) Information and records that are directly related to the security of any government building shall be maintained as confidential and shall not be open to public inspection. For purposes of this subsection (j), "government building" means any building that is owned, leased, or controlled, in whole or in part, by the state of Tennessee or any county, municipality, city or other political subdivision of the state of Tennessee. Such information and records include, but are not limited to:

(A) Information and records about alarm and security systems used at the government building including codes, passwords, wiring diagrams, plans and security procedures and protocols related to the security systems;

(B) Security plans, including security-related contingency planning and emergency response plans;

(C) Assessments of security vulnerability;

(D) Information and records that would identify those areas of structural or operational vulnerability that would permit unlawful disruption to, or interference with, the services provided by a governmental entity; and

(E) Surveillance recordings, whether recorded to audio or visual format, or both, except segments of such recordings may be made public when they include an act or incident involving public safety or security or possible criminal activity. In addition, if such recordings are relevant to a civil action or criminal

prosecution, then the recordings may be released in compliance with a subpoena or an order of a court of record in accordance with the Tennessee Rules of Civil or Criminal Procedure. The court or administrative judge having jurisdiction over the proceedings shall issue appropriate protective orders, when necessary, to ensure that the information is disclosed only to appropriate persons. Release of any segment or segments of such recordings shall not be construed as waiving the confidentiality of the remaining segments of the audio or visual tape.

(2) Information made confidential by this subsection (j) shall be redacted wherever possible and nothing in this subsection (j) shall be used to limit or deny access to otherwise public information because a file or document contains confidential information.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: June 17, 2009



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 1st day of July 2009



PHIL BREDESEN, GOVERNOR